

## **DECLARATION AND POWER OF ATTORNEY**

I the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **LABEL-FREE DETECTION OF NUCLEIC ACIDS VIA SURFACE PLASMON RESONANCE**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information material to the examination of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable.

I hereby claim the benefit under Section 120 or Section 119 (e)(1) of Title 35 United States Code of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, I acknowledge the duty to disclose material information as defined in Section 1.56(a) Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<b>Application Serial No.</b>	<b>Filing Date</b>	<b>Status (pending, patented abandoned)</b>
<u>09/456,038</u>	<u>3 December 1999</u>	<u>Pending</u>
<u>09/368,991</u>	<u>5 August 1999</u>	<u>U.S. Patent 6,127,129</u>
<u>60/132,342</u>	<u>4 May 1999</u>	

And I hereby appoint:

Charles S. Sara	30,492
Joseph T. Leone	37,170
Craig A. Fieschko	39,668
Todd E. Palmer	44,278

Address all telephone calls to: **Joseph T. Leone**  
Telephone: 608-831-2100  
Facsimile: 608-831-2106

All correspondence to: **Intellectual Property Department**  
**DEWITT ROSS & STEVENS S.C.**  
Firststar Financial Centre  
8000 Excelsior Drive Suite 401  
Madison, WI 53717-1914

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Bryce P. Nelson

INVENTOR'S SIGNATURE  DATE Nov 26, 2001

Residence: Madison, Wisconsin

Citizenship: USA Post Office Address: ~~34 South Mills Street #2, Madison, WI 53715~~ <sup>BPN 11-26-01</sup>  
1241 Morrison Street #1, Madison, WI 53703

FULL NAME OF JOINT OR SECOND INVENTOR Mark R. Liles

INVENTOR'S SIGNATURE  DATE 11/6/01

Residence: Madison, Wisconsin

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FULL NAME OF JOINT OR THIRD INVENTOR Kendra Frederick

INVENTOR'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Residence: Madison, Wisconsin

Citizenship: USA Post Office Address: 306 S. Park St., Madison, WI 53715

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FULL NAME OF SOLE OR FIRST INVENTOR Bryce P. Nelson

INVENTOR'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Residence: Madison, Wisconsin

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FULL NAME OF JOINT OR SECOND INVENTOR Mark R. Liles

INVENTOR'S SIGNATURE Mark R. Liles DATE 11/21/01

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FULL NAME OF JOINT OR THIRD INVENTOR Kendra Frederick

INVENTOR'S SIGNATURE Kendra Frederick DATE 11/23/01

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INVENTOR'S SIGNATURE  DATE 10/16/01

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FULL NAME OF JOINT OR FIFTH INVENTOR Robert M. Goodman

INVENTOR'S SIGNATURE  DATE 11/01/01

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11/16/01